

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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**CROWN CORK & SEAL USA, INC.** :

vs. :

**BLUE ROCK CONSTRUCTION,  
INC., GREENMAN-PEDERSEN,  
INC., AUTOMATIC FIRE SYSTEMS,  
INC., S.A. COMUNALE CO., INC.,  
and THE VIKING COMPANY** :

CIVIL ACTION NO.: 3:20-CV-126

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**STIPULATION OF DISMISSAL PURSUANT TO FEDERAL RULE OF CIVIL  
PROCEDURE 41(a)(1)(A)(ii) AS TO LESS THAN ALL PARTIES**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Crown Cork & Seal USA, Inc. ("plaintiff") and defendant S.A. Comunale Co., Inc. ("S.A. Comunale") stipulate that the claims for plaintiff asserted against S.A. Comunale in Counts X, XI, XII, and XIII of plaintiff's Complaint (Doc. No. 1) are dismissed with prejudice as to S.A. Comunale only.

This Stipulation is not intended to dismiss the remaining claims of the plaintiff in its Complaint against any party other than S.A. Comunale.

Date: August 23, 2022

Respectfully submitted,

Date: August 26, 2022

**COUGHLIN & GERHART, LLP**

IT IS SO ORDERED.

By: /s/ Zachary D. Morahan

Zachary D. Morahan, Esq.

*Attorneys for Plaintiff*

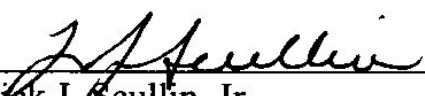
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Frederick J. Scullin, Jr.

Senior United States District Judge

**COZEN O'CONNOR**

By: /s/ Paul R. Bartolacci

Paul R. Bartolacci, Esq.

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By: \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 23, 2022, I electronically filed the foregoing Stipulation of Dismissal with the Clerk of the Northern District Court using its CM/ECF system, which would then electronically notify the parties of record.

**WEBER GALLAGHER SIMPSON  
STAPLETON FIRES & NEWBY, LLP**

By: \_\_\_\_/s/James A. Wescoe\_\_\_\_\_  
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